



COMMONS REGISTRATION ACT 1965

Reference No. 9/U/22

In the Matter of Land situate in front
of the Church Room, Ashford, Devon

DECISION

This reference relates to the question of the ownership of certain land situate in front of the Church Room, Ashford, being the land comprised in the Land Section of Register Unit No. V.G.52 in the Register of Town or Village Greens maintained by the Devon County Council, of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and no person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Barnstaple on 28th March 1972.

The only person to appear at the hearing was Mr. John Shephard, a resident in Ashford for the last eight years, though he has known the village for 50 years. Mr. Shephard produced statements from a number of residents in the village, who were too old and infirm to attend the hearing. The statements were all directed to showing that the land in question has been used as a village green during the whole period of living memory, but Mr. Shephard did not produce any evidence as to the ownership of the land. In these circumstances I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Devon County Council, as registration authority, to register the Ashford Parish Council as the owner of the land under section 8(3) of the Act.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 24th day of April 1972


Chief Commons Commissioner